

**Summary of the Minutes  
December 2, 2013 Regular Meeting  
City of Binghamton Planning Commission  
City Council Chambers, City Hall**

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**CALL TO ORDER**

Chairman Stella called the meeting to order at 5:15 pm.

**ROLL CALL**

Present: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Absent: Z. Staff

Vacant: None

Staff Present: T. Martinez, L. McCullen, B. Seachrist

**APPROVAL OF SUMMARY OF THE MINUTES**

*Motion to approve the Summary of the Minutes from the November 4<sup>th</sup>, 2013 regularly scheduled Planning Commission meeting.*

Moved by Pompei, seconded by Ayres

**Motion carried (8-0-0)**

Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

**PUBLIC HEARINGS**

**387 STATE STREET (2013-06)**

Kenneth Cohn appeared to provide information on the proposed project that would legalize a taxicab business with on-site repairs and exterior storage of vehicles.

Chairman Stella opened the public hearing. No one spoke in opposition to the proposal. A letter from Levine, Gouldin & Thompson representing State Street Realty Holdings LLC was received in opposition to the proposal. No letters were received in favor of the proposal.

*Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.*

Moved by Pompei, seconded by O'Loughlin

**Motion carried (8-0-0)**

Ayes: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

*Motion to approve the site plan subject to the following conditions:*

1. Prior to the issuance of a certificate of occupancy the applicant shall install a sidewalk and concrete curb along the entire W State Street frontage subject to City of Binghamton Engineering Dept. standards and specifications.
2. Prior to the issuance of a certificate of occupancy a 5-foot landscaped buffer strip shall be installed along the entire W State Street frontage, driveway excluding.
3. A landscaping plan indicating the size, location and species to be planted in the buffer strip shall be submitted to Planning Staff for approval prior to installation.
4. Prior to the issuance of a certificate of occupancy, the abandoned sign pole shall be removed from site
5. Prior to the issuance of a certificate of occupancy, the asphalt parking area shall be resurfaced

Moved by Pompei, seconded by Emilio

**Motion carried (8-0-0)**

Ayes: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

### **162-164 COURT STREET (2013-64)**

Jeff Smith appeared to provide information on a proposal to convert the second through fourth floors of an existing commercial building into 10 residential units containing a total of 52 bedrooms.

No one spoke in opposition to the proposal. No letters were received in favor or in opposition of the proposal.

*Motion to approve a Department of Environmental Conservation State Environment Quality Review Act Negative Declaration in conjunction with the requested review.*

Moved by Pompei, seconded by Corcoran

**Motion carried (7-1-0)**

Ayes: Stella, Ayres, Berling, Corcoran, Emilio, O'Loughlin, Pompei

Nays: Bowers

Absent: Z. Staff

Recused: None

*Motion to approve the site plan subject to the following conditions:*

1. The applicant shall secure an easement or long-term agreement for a minimum of twenty-one (23) off-street parking spaces (at an approved ancillary parking lot within 500 feet of the subject property) to run in perpetuity with the approved use at 162 Court Street, and submit to Planning Staff.
2. Any proposed exterior alterations to the building, including, but not limited to, the exterior lighting shown on the site plan submitted November 27, 2013 shall be approved by CAUD.

Moved by Pompei, seconded by O'Loughlin

**Motion carried (8-0-0)**

Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

**SEQR DETERMINATIONS**

**439 COURT STREET (2013-63)**

Christopher Stastny appeared to provide information on an application for a Series A Site Plan & Special Use Permit to construct a one story commercial building containing one drive-through restaurant and one limited service restaurant.

*Motion to declare the proposed action an Unlisted Action for State Environmental Quality Review.*

Moved by Pompei, seconded by O'Loughlin

**Motion carried (8-0-0)**

Ayes: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

*Motion to declare the Planning Commission be Lead Agency under the State Environmental Quality Review Act.*

Moved by Pompei, seconded by O'Loughlin

**Motion carried (8-0-0)**

Ayes: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

*Motion to set a public hearing for January 6, 2013 at 5:20pm.*

Moved by Pompei, seconded by O'Loughlin

**Motion carried (8-0-0)**

Ayes: Stella, Ayres, Berling, Bowers, Corcoran, Emilio, O'Loughlin, Pompei

Nays: None

Absent: Z. Staff

Recused: None

**OTHER BUSINESS**

Staff discussed with the Commission a pending appeal to an interpretation made by the Director of Building Construction, Zoning and Code Enforcement regarding the use of parking facilities to meet minimum parking requirements for proposed projects.

The Planning Commission also expressed concern with recent high bedroom-to-unit ratio residential construction projects. The Commission discussed with Corporation Counsel what regulations exist, if any, regarding the number and size of bedrooms allowable in one dwelling unit, and what options exist to regulate said projects.

**ADJOURNMENT**

*Motion to adjourn the meeting.*

Moved by Ayres, seconded by Emilio

Voice vote; none opposed.

Adjourned at 6:55 p.m.